

#### REMARKS (37 CFR 1.111)

Applicant has considered all points made by the Examiner in the Office Action and has incorporated Examiner's suggestions to ensure compliance with the applicable rules.

Applicant amended the claims to clarify the structure which the Applicant believes distinguishes the present invention over the cited references, to clarify the function of the claimed invention, and to clarify the limitations within the claims drawn to such a structure. However, such amendments have not been made to narrow the claims of the original application, but rather simply to clarify claims due to grammar that the Examiner found unclear. Applicant believes the amended claims are supported by the specification.

The examiner has rejected Claims 35, 36, 40-43, 45, 47, 48, and 50 pursuant to 35 U.S.C. 102(b) and such claims have been canceled. Applicant has canceled the above claims without prejudice to refiling the claims at a later date and without any admission that the claims are not patentable. The cancellation reduces the subject matter before the Examiner and, hopefully, expedites the process of reaching agreement on the language for the remaining claims.

#### Claim Objections

The Examiner has objected to Claims 37-39, 44, 46, and 49 as depending from a rejected base claim. The Examiner has further indicated that these claims would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claim(s). Applicant has amended each of them, except Claim 46, pursuant to the Examiner's comments.

The office action recites that Claim 46 stands objected to as depending from a rejected base claim, but would be allowable if rewritten in independent form. However, Claim 46 is already in independent form. In the first office action of May 17, 2004, the Examiner noted that Claim 46 would be allowable if the (at the time) double patenting rejection were overcome. As a part of Applicant's response to the May 17, 2004 office action, Applicant filed a terminal disclaimer. Therefore, Applicant believes

Claim 46 was mistakenly included in the claims that were objected to. For this reason, Applicant has not addressed Claim 46, but believes it to be allowable.

It is respectfully submitted that remaining pending Claims 37-39, 44, 46, and 49 are now in a condition for allowance.

#### CONCLUSION

In view of the above, it is submitted that the remaining claims are in a condition for allowance. Reconsideration and withdrawal of the objections are hereby requested. Allowance of the pending claims at an early date is solicited.

If impediments to allowance of the pending claims remain, and a telephone conference between the undersigned and the examiner would help remove such impediments in the opinion of the examiner, a telephone conference is respectfully requested.

Respectfully submitted,

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